

House File 618 - Introduced

HOUSE FILE 618
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 10)

A BILL FOR

1 An Act modifying licensing provisions applicable to fire
2 extinguishing and alarm systems contractors and installers,
3 and electricians and electrical contractors.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 100C.1, subsection 13, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *c.* For a telecommunications company that
4 has been issued a certificate of public convenience and
5 necessity pursuant to section 476.29, a person with whom
6 the telecommunications company contracts, who is certified
7 by the national institute for certification in engineering
8 technologies as required in paragraph "a" or "b" or who meets
9 any other criteria established by rule.

10 Sec. 2. Section 100C.2, subsection 3, Code 2011, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *d.* This subsection shall not apply to a
13 responsible managing employee with whom a telecommunications
14 company contracts as provided in section 100C.1, subsection 13,
15 paragraph "c".

16 Sec. 3. NEW SECTION. 103.1A Term "*commercial*" applied.
17 As used in this chapter:

18 1. "*Commercial*" refers to a use, installation, structure,
19 or premises associated with a place of business where goods,
20 wares, services, or merchandise is stored or offered for sale
21 on a wholesale or retail basis.

22 2. "*Commercial*" refers to a residence only if the residence
23 is also used as a place of business as provided in subsection
24 1.

25 3. "*Commercial*" does not refer to a use, installation,
26 structure, or premises associated with any of the following:

27 *a.* A farm.

28 *b.* An industrial installation.

29 Sec. 4. Section 103.22, subsection 7, Code 2011, is amended
30 to read as follows:

31 7. Prohibit an owner of property from performing work on the
32 owner's principal residence, if such residence is an existing
33 dwelling rather than new construction and is not an apartment
34 that is attached to any other apartment or building, as those
35 terms are defined in section 499B.2, and is not larger than a

1 single-family dwelling, ~~or farm property, excluding commercial~~
2 ~~or industrial installations or installations in public use~~
3 ~~buildings or facilities,~~ or require such owner to be licensed
4 under this chapter. In order to qualify for inapplicability
5 pursuant to this subsection, a residence shall qualify for the
6 homestead tax exemption.

7 Sec. 5. Section 103.22, Code 2011, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 15. Apply to a person performing any
10 installation on a farm, if the person is associated with the
11 farm as a holder of a legal or equitable interest, a relative
12 or employee of the holder, or an operator or manager of the
13 farm. The provisions of this chapter do not require such
14 person to be licensed. In addition, a permit is not required
15 for an installation on a farm, and an installation on a farm
16 is not required to be inspected. In order for a farm building
17 to qualify under this subsection, the farm building must not
18 be regularly open to the public as a place of business for the
19 retail sale of goods, wares, services, or merchandise.

20 EXPLANATION

21 This bill modifies licensing provisions applicable to fire
22 extinguishing and alarm systems contractors and installers, and
23 electricians and electrical contractors.

24 With reference to fire extinguishing and alarm systems
25 contractors and installers, in relation to the definition
26 of "responsible managing employee" contained in Code
27 section 100C.1, subsection 13, the bill provides that for a
28 telecommunications company that has been issued a certificate
29 of public convenience and necessity, a responsible managing
30 employee may be a person with whom the telecommunications
31 company contracts, who is certified by the national institute
32 for certification in engineering technologies or who meets any
33 other criteria established by rule.

34 The bill additionally modifies Code section 100C.2,
35 subsection 3. That subsection currently states that a

1 responsible managing employee may act in that capacity for
2 only one fire extinguishing system contractor or alarm system
3 contractor at a time, and shall not be so designated for
4 more than two fire extinguishing system contractors or alarm
5 system contractors, respectively, in any 12-month period. The
6 subsection currently also states that a responsible managing
7 employee may serve in such capacity for a fire extinguishing
8 system contractor and an alarm system contractor at the same
9 time, provided that the fire extinguishing system contractor
10 and the alarm system contractor are the same business, and that
11 the person designated as the responsible managing employee
12 meets the responsible managing employee criteria established
13 for each certification. The bill provides that the subsection
14 shall not apply to a responsible managing employee with whom a
15 telecommunications company contracts as described above.

16 With reference to electricians and electrical contractors,
17 the bill provides that whenever the term "commercial" is
18 used in Code chapter 103, it refers to a use, installation,
19 structure, or premises associated with a place of business
20 where goods, wares, services, or merchandise is stored or
21 offered for sale on a wholesale or retail basis, and refers to
22 a residence only if the residence is also used as a place of
23 business. The bill states that "commercial" does not refer to
24 a use, installation, structure, or premises associated with
25 either a farm or an industrial installation.

26 The bill removes reference to farm property from Code
27 section 103.22, subsection 7, which provides an exemption from
28 Code chapter 103 for performing electrical work on an owner's
29 principal residence under specified circumstances. The bill
30 creates a new subsection in Code section 103.22 specifically
31 relating to farm property, stating that the Code chapter's
32 inapplicability provisions shall cover a person performing any
33 installation on a farm, if the person is associated with the
34 farm as a holder of a legal or equitable interest, a relative
35 or employee of the holder, or an operator or manager of the

1 farm, and that such person shall not be required to be licensed
2 under the Code chapter. The bill also states that a permit is
3 not required for an installation on a farm, and an installation
4 on a farm is not required to be inspected. In order for a farm
5 building to qualify for Code chapter inapplicability, the bill
6 provides that the farm property shall not be regularly open to
7 the public as a place of business for the retail sale of goods,
8 wares, services, or merchandise.